

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL ROJAS,	:
	:
Movant,	:
	:
-v-	:
	:
UNITED STATES OF AMERICA,	:
	:
Respondent.	:
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16-CV-3922 (JMF)
11-CR-208 (JMF)
ORDER OF DISMISSAL

JESSE M. FURMAN, United States District Judge:


The Court has received a letter from Defendant advising that he has moved the New York State Parole Division to quash a New York State “parole detainer.” *See* ECF No. 37.¹ Defendant does not appear to ask this Court for any relief, and the gravamen of his complaint relates to the conduct of state authorities, not to his federal sentence. Accordingly, the Court will take no action in connection with Defendant’s letter.

As Defendant has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253; *see also* *Lozada v. United States*, 107 F.3d 1011, 1015-16 (2d Cir. 1997), *abrogated on other grounds by United States v. Perez*, 129 F.3d 255, 259-60 (2d Cir. 1997). Moreover, this Court certifies pursuant to Title 28, United States Code, Section 1915(a)(3) that any appeal from this Order would not be taken in good faith, so *in forma pauperis* status is denied. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to mail a copy of this Order to Defendant at the following address: Reg. No. 64109-054, U.S.P. Victorville, P.O. Box 3900, Adelanto, CA 92301.

SO ORDERED.

Dated: December 16, 2020
New York, New York



JESSE M. FURMAN
United States District Judge

¹ The Court notes that Judge Scheindlin, to whom Defendant addressed his letter, has retired from the bench. Defendant’s case was reassigned to the undersigned on May 26, 2016.